

Exhibit A



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

November 6, 2019

By Hand

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Re: *United States v. Telemaque Lavidas*, 19 Cr. 716 (DLC)

Dear Counsel:

This letter provides discovery pursuant to Rule 16(a) of the Federal Rules of Criminal Procedure ("Fed. R. Crim. P."), and seeks reciprocal discovery.

Disclosure by the Government

Based on your request for discovery in this case, we have enclosed a disc containing copies of the following materials. Please note that these materials are being produced pursuant to the protective order in this case. The password for the hard drive is: **USAOsdny2019!**

<u>BATES RANGE</u>	<u>DESCRIPTION</u>
USAO_SDNY_000049652-000103372	Records produced by AT&T
USAO_SDNY_000103373-000103988	Records produced by Banque Ohman
USAO_SDNY_000103989-000103990	Arrest report for Telemaque Lavidas
USAO_SDNY_000103991-000104252	Records produced by Fidelity
USAO_SDNY_000104253-000104737	Records obtained from various entities in Greece
USAO_SDNY_000104738-000110576	Records produced by Interactive Brokers
USAO_SDNY_000110577-000110713	Records produced by JP Morgan Chase

USAO_SDNY_000110714-000110719	Records produced by Locus Telecommunications
USAO_SDNY_000110720-000110730	Records produced by Metro PCS
USAO_SDNY_000110731-000110932	Records produced by Oppenheimer
USAO_SDNY_000110933-000111473	Records produced by Options Express
USAO_SDNY_000111474-000111600	Records produced by Pershing LLC
USAO_SDNY_000111601-000111604	Records produced by RCN
USAO_SDNY-R-000028922 -000030511	Records produced by Saxo Bank
USAO_SDNY_000125929-000125979, SEC-USAONY-EPROD-000001031- 000001650, SEC-USAO-EPROD-SEC-USAO-EPROD-000000001-000010766	Trading and brokerage records
USAO_SDNY_000111605-000112220	Records produced by Sprint
USAO_SDNY_000112221-000112539	Search Warrant Applications, Affidavits, and Orders
USAO_SDNY_000112540- 000116724	Records of George.nikas@gmail.com obtained by Search Warrant
USAO_SDNY_000116725-000116771	Records produced by TD Ameritrade
USAO_SDNY_000116772-000116780	Records produced by Time Warner
USAO_SDNY_000116781-000120115	Records produced by T-Mobile
USAO_SDNY_000120116-000125919	Records produced by Verizon
USAO_SDNY_000125920-000125928	Records produced by Windstream

As we advised you during Court proceedings on October 23, the Government is also in possession of numerous documents that relate to insider trading activity that do not involve your client including, for example, documents that relate to the “Corporate Acquisitions Insider Trading Scheme” charged in the Indictment. As we further advised you, the Government does not intend

to produce those documents to you as part of its Rule 16 discovery. To the extent you believe you are entitled to some or all of those documents or you wish to speak further about that topic, please let us know at the earliest possible time.

In addition, if you wish to review any materials that were seized by the Government pursuant to search warrants in this matter, please advise us promptly and we will ensure their availability for your review.



Disclosure by the Defendant

In light of your request for the foregoing discovery, the Government hereby requests reciprocal discovery under Fed. R. Crim. P. 16(b). Specifically, we request that you allow inspection and copying of: (1) any books, or copies or portions thereof, which are in the defendant's possession, custody or control, and which the defendant intends to introduce as evidence or otherwise rely on at trial; and (2) any results or reports of physical or mental examinations and of scientific tests or experiments made in connection with this case, or copies thereof, which are in the defendant's possession or control, and which the defendant intends to introduce as evidence or otherwise rely on at trial or which were prepared by a witness whom the defendant intends to call at trial.

The Government also requests that the defendant disclose prior statements of witnesses he will call to testify. *See* Fed. R. Crim. P. 26.2; *United States v. Nobles*, 422 U.S. 225 (1975). We request that such material be provided on the same basis upon which we agree to supply the defendant with 3500 material relating to Government witnesses.

We wish to remind you that Fed. R. Crim. P. 12.2 requires you to provide the Government with written notice if the defendant intends to rely on the defense of insanity at the time of the alleged crime or intends to introduce expert testimony relating to a mental disease, defect, or other condition bearing upon the issue of whether he had the mental state required for the offenses charged.

We also wish to remind you that Fed. R. Crim. P. 12.3(a) requires you to provide the Government with written notice if the defendant intends to claim a defense of actual or believed exercise of public authority on behalf of a law enforcement or Federal intelligence agency at the time of the alleged crime.

The Government requests a response to our Rule 12.2 and 12.3(a) demands within the time period allowed by the Court for the filing of motions.

Sentence Reduction for Acceptance of Responsibility

This Office will oppose the additional one-point reduction under the Sentencing Guidelines available for defendants who plead prior to the Government's initiation of trial preparations pursuant to U.S.S.G. § 3E1.1(b), in the event your client has not entered a plea of guilty on a timely basis prior to trial. We will follow this policy whether or not suppression or other pretrial motions remain outstanding after this date.

Please also be advised that unless a disposition is reached on a timely basis prior to trial, this Office reserves the right to oppose the two-point reduction under U.S.S.G. § 3E1.1(a) of the Sentencing Guidelines for acceptance of responsibility based upon its untimeliness.

Please contact us at your earliest convenience concerning the possible disposition of this matter or any further discovery which you may request. Please be advised, however, that pursuant to the policy of the Office concerning plea offers, no plea offer is effective unless and until made in writing and signed by authorized representatives of the Office. In particular, discussions regarding the pretrial disposition of a matter that are not reduced to writing and signed by authorized representatives of the Office cannot and do not constitute a "formal offer" or a "plea offer," as those terms are used in *Lafler v. Cooper*, 132 S.Ct. 1376 (2012); *Missouri v. Frye*, 132 S.Ct. 1399 (2012).

Very truly yours,

GEOFFREY S. BERMAN
United States Attorney

by: /s/
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